

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL JOSEPH JACOBSON,

Defendant.

CR-18-72-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 11, 2024. (Doc. 60.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on December 10, 2024. (Doc. 59.) The United States accused Michael Jacobson (Jacobson) of violating his conditions of supervised release by: (1) failing to report for random substance abuse testing on October 19, and October 23, 2024; (2) testing positive for

methamphetamine and marijuana on October 23, 2024; and (3) failing to report for individual substance abuse treatment on October 30, 2024;(4) failing to report for individual substance abuse treatment on November 5, 2024; (5) failing to report for substance abuse testing on November 12, 2024, and failing to comply with substance abuse testing on November 15, 2024; and (6) being in possession of dangerous weapons on November 15, 2024 (Docs. 50 and 57.)

At the revocation hearing, admitted Jacobson admitted that he had violated the terms of his supervised release by: (1) failing to report for random substance abuse testing on October 23, 2024; (2) testing positive for methamphetamine and marijuana on October 23, 2024; (4) failing to report for individual substance abuse treatment on November 5, 2024; and (5) failing to report for substance abuse testing on November 12, 2024, and failing to comply with substance abuse testing on November 15, 2024. The Government moved to dismiss allegations (3) and (6), which the court granted. (Doc. 59.)

Judge Johnston found that the violations Jacobson admitted prove serious and warrants revocation of his supervised release and recommends a term of custody of 4 months custody, with no term of supervised release to follow, and with this sentence to run concurrently with CR 04-35 (Doc. 61.) Jacobson was advised of his rights to appeal and allocute to the undersigned and waived those rights. (Doc. 59.)

The violations prove serious and warrants revocation of Jacobson's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 66.) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Michael Jacobson be sentenced to a term of custody of 4 months custody, with no term of supervised release to follow, and with this sentence to run concurrently with CR 04-35.

DATED this 27th day of December, 2024.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court